

# EXHIBIT A

'This is not the end of the story, and the fight for what is right continue... <https://guitar.com/features/interviews/ceo-evan-rubinson-this-is-no>

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# "THIS IS NOT THE END OF THE STORY, AND THE FIGHT FOR WHAT IS RIGHT CONTINUES": DEAN CEO EVAN RUBINSON ON THE GIBSON VS DEAN JURY VERDICT

By Cillian Breathnach ⌚ 3rd June 2022



Evan Rubinson

Last week, a jury verdict was released in the legal battle between Gibson and Dean that found Dean guilty of trademark infringement and counterfeiting of a number of Gibson's trademarks, covering a number of guitar body shapes.

- **READ MORE:** Dean guilty of trademark infringement and counterfeiting in Gibson Flying V case

Gibson's victory, however, was not without its caveats: the jury did find that Gibson "inexcusably" delayed asserting its trademark right for the Flying V and Explorer body shapes, and the Dove Wing headstock shape, causing "undue prejudice" to both Dean and its investment partners.

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Gibson's initial suit a

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\$4,000 in the jury verdict. This reduced amount suggests that, while Dean did infringe on the marks, the detriments on Gibson were ruled to be less severe than the company initially alleged.

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Despite these caveats, the ruling is – for now – still a clear victory for Gibson, one that could have deep implications for the guitar industry as a whole.

*Guitar.com* spoke to Dean CEO Evan Rubinson on the ruling's impact on Dean's product line and the industry as a whole, and whether Dean will appeal.

## With the jury ruling that Gibson's trademarks are not generic, will Dean drop any models from its product line?

"We have no plans to drop the Dean V and Z guitars, nor the Dean Evo headstock design, as the jury found no trademark liability on any of those. That said, the case is by no means over – there will likely be a post-trial briefing, and Gibson may potentially appeal the verdict, despite their touted victory."

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Images: Dean Guitars

## Will existing body shapes in Dean's roster need to be modified in order to distinguish them from Gibson's trademarks?

"Other than our Dean Gran Sport model, our position is that no existing body shapes or names need to be modified, especially in light of the ruling on Armadillo's defences that Gibson's claims against the Dean V, Z and Evo headstock were found to have no trademark liability. Once again, the case is still ongoing, and this is subject to any post-trial or appeal decisions."

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*The double-neck version of Dean's Gran Sport model. At time of writing, no Gran Sport product pages are accessible on Dean's website.  
Image: Dean Guitars*

## Does Dean have any new shapes or models in development to replace the affected models?

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"We are constantly developing new models and shapes, of course, but the only shape we will be redesigning in relation to Gibson's lawsuit against us will be our Gran Sport. We have already begun sketching mockups for the new and improved Dean Gran Sport, and I must say, it is pretty

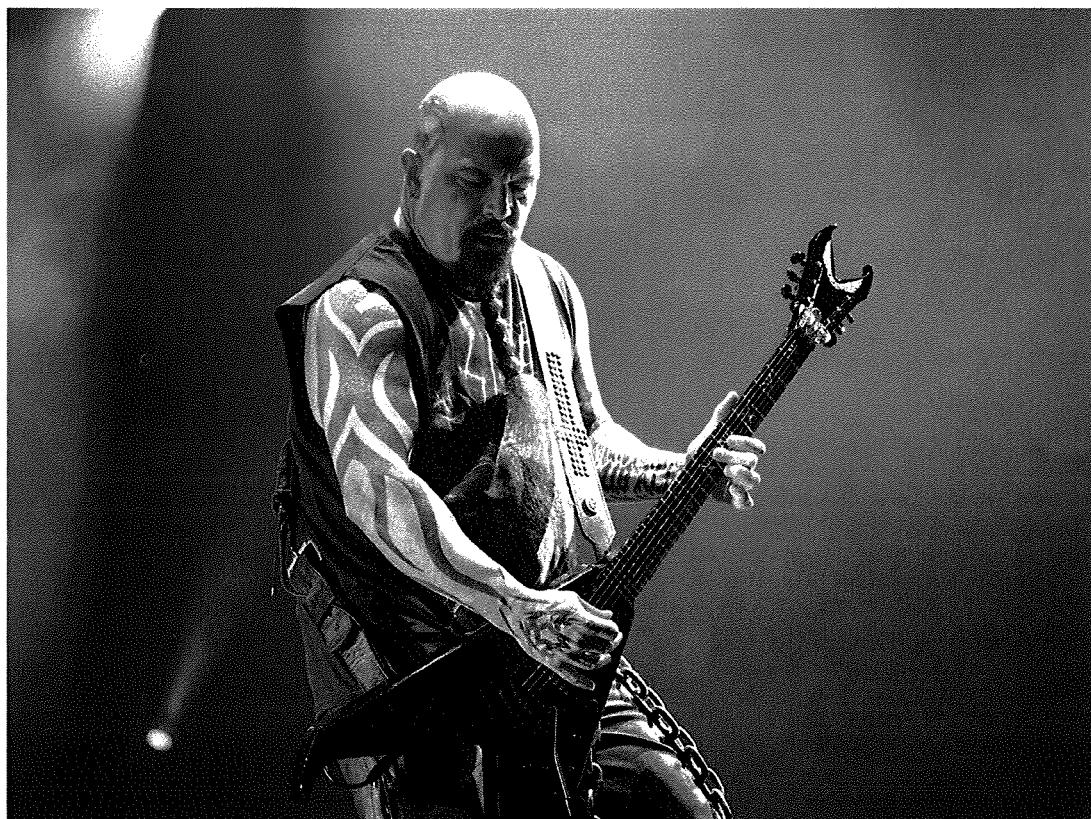
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**Dean has, across the last few years, registered new or renewed trademarks for other designs, such as the ML and the headstock of Kerry King's signature guitar. Will these designs form a larger part of Dean's product lineup in the future?**



Kerry King playing his signature Dean V. Image: Roy Rochlin / Getty

“We have maintained a trademark on the Dean ML shape dating back to 1977 when Dean Guitars was first started, and it certainly constitutes a key shape in our lineup and will continue to serve as such moving forward. Separate from our tried and true shapes, we intend to continue the expansion of the Kerry King line with the addition of a brand new model in the near future. All that said, we always have a few secret projects in the works to keep the Dean Guitars’ name at the forefront of innovation in the guitar industry.”

**With specific regard to the counterfeiting judgement, is Dean concerned about the precedent the ruling might set for the wider guitar industry?**

“Dean Guitars will be challenging the verdict on the counterfeiting claim, as it is legally unfounded and would

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## **Dean is not liable for anywhere near the amount Gibson initially sought, however, are you able to clarify what the jury's amount of \$4,000 means in practice?**

"Despite Gibson's initial demands of tens of millions of dollars, the total amount awarded by the jury was \$4000.00, which covers all claims and shapes at issue."

## **Are you able to address the many passionate responses guitar fans have had to this ruling since it was announced?**

"It's been an arduous three-year battle, but we are eternally grateful for all the support we received throughout the entirety of the lawsuit, and subsequent to the jury's verdict. We love and appreciate our artists, dealers, consumers and fans more than anything in the world, and greatly value the confidence they've placed in us as we move forward better and stronger than ever. This is not the end of the story, and the fight for what is right continues."

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